

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHNNY LEE SLOAN, JR.,

Plaintiff,

v.

K. TALLEY, et al.,

Defendants.

Case No. 1:21-cv-01477-JLT-EPG (PC)

ORDER GRANTING DEFENDANTS'
MOTION TO OPT OUT OF AN EARLY
SETTLEMENT CONFERENCE

(ECF No. 38)

This matter has been referred for an early settlement conference. (ECF No. 36). On June 1, 2023, Defendants Talley, Mata, and Gonzalez filed a motion¹ to opt out of the settlement conference. (ECF No. 38). As grounds, they state as follows:

After conducting an investigation into the allegations by Plaintiff and conferring with her supervisor, Defendant's counsel believes a settlement conference would not be successful. Further, Defendants' counsel attempted to communicate with Plaintiff pursuant to the Court's order, but has been unable to contact Plaintiff because he was paroled and has not updated his address with the Court.

(*Id.* at 3).

However, the Court notes that, since the filing of this motion, Plaintiff has filed a notice of change of address. (ECF No. 39).

¹ Under the Court's order, Defendants only needed to file a "notice," not a "motion," to opt out of a settlement conference. (ECF No. 36, p. 2).

Based on the above, IT IS ORDERED as follows:

1. Defendants' motion to opt out of an early settlement conference (ECF No. 38) is granted.
2. The Clerk of Court is directed to mail a copy of this order to Plaintiff at the most recent address provided.

IT IS SO ORDERED.

Dated: **June 16, 2023**

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE